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34
35 **UNITED STATES DISTRICT COURT**
36
37 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

38
39 IOLA FAVELL, SUE ZARNOWSKI,
40 AND MARIAH CUMMINGS, *on behalf*
41 *of themselves and all others similarly situated,*

42 Plaintiffs,

43
44 v.
45
46 UNIVERSITY OF SOUTHERN
47 CALIFORNIA and 2U, INC.,

48 Defendant.

49 Case No. 2:23-cv-00846-SPG-MAR

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51 **NOTICE OF LOS ANGELES
52 COUNTY SUPERIOR COURT
53 FILINGS**

1 Please take notice that on March 29, 2023, Plaintiffs Iola Favell, Sue Zarnowski,
2 and Mariah Cummings filed a second lawsuit in Los Angeles County Superior against
3 Defendants University of Southern California and 2U, Inc. The case number is
4 23STCV06899. Rule 3.300(b) of the California Rules of Court requires that notice be
5 provided to this Court. Copies of the notices submitted to LA County Superior Court
6 are attached hereto as **Exhibits A and B**.

7 The March 29 state court lawsuit was necessitated by the removal of this first
8 lawsuit to this Court by Defendant 2U. In their motions to dismiss here, Dkt. # 28, 30,
9 Defendants argued – and *Sonner v. Premier Nutrition Corp.*, 971 F.3d 834 (9th Cir. 2020),
10 appears to provide – that this Court lacks equitable jurisdiction over the equitable claims
11 originally asserted by Plaintiffs in this lawsuit. *See* Dkt. # 28, 30. Accordingly, on March
12 29, 2023, Plaintiffs filed an amended complaint with this Court, Dkt. # 32, asserting
13 only legal claims for CLRA damages, while dismissing the equitable causes of action.
14 Those equitable claims now appear in the March 29 action only.

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17 Date: April 3, 2023

/s/ Kristen G. Simplicio

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